1973. No. 377 **[C]**

EDUCATION

Equipment Grants

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER ARTICLES 106 AND 125 OF THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

The Ministry of Education (hereinafter referred to as "the Ministry") on behalf of the Secretary of State and in exercise of the powers conferred on it by articles 106 and 125 of the Education and Libraries (Northern Ireland) Order 1972(**a**) and of every other power enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Equipment Grants Regulations (Northern Ireland) 1973.

(2) These Regulations shall come into operation on 1st October 1973.

(3) The Equipment Grants Regulations (Northern Ireland) 1948(**b**) and the Equipment Grants Amending Regulations (Northern Ireland) 1953(**c**) are hereby revoked.

Definitions

2. In these Regulations:—

"manager" means the person or body under whose control and management the school is placed;

"Order" means the Education and Libraries (Northern Ireland) Order 1972;

"school" means any grant-aided primary, intermediate or special school not being a controlled school or a maintained school.

3. For the purpose of these Regulations "equipment" does not include anything for the provision of which an education and library board is responsible or in respect of which payment may be made to the managers by an education and library board or by any Government Department by virtue of any provision of the Order other than paragraph (1) of Article 106 of the Order.

Prior Approval

4. Subject as hereinafter provided, a payment on foot of grant shall not be made towards expenditure incurred in the purchase of equipment without prior approval of the Ministry: provided that expenditure incurred without the approval of the Ministry may be admitted for grant at the discretion of the Ministry either in full or to such extent as the Ministry considers reasonable in the circumstances.

(**a**) S.I. 1972, No. 1263 (N.I. 12).
(**b**) S.R. & O. (N.I.) 1948, No. 47.
(**c**) S.R. & O. (N.I.) 1953, No. 149.

Payment of grant

5.—(1) Applications for grant shall be made by the managers and shall be in such form and contain such particulars and information as the Ministry may require.

(2) Expenditure on equipment shall not, save in so far as the Ministry may otherwise approve, be treated as approved expenditure unless the Ministry is satisfied that a sufficient number of tenders have been invited.

(3) Payment of grant shall be made to the managers in respect of approved expenditure on the provision of equipment on the production to the Ministry of satisfactory evidence of expenditure.

(4) As a condition of the payment of grant, the Ministry may require a declaration by the managers that the equipment has been received in good condition and is at least of the standard approved by the Ministry and that it will be maintained exclusively for purposes for which provision is made in the Order.

6. In the event of equipment in respect of the cost of which grant is paid ceasing to be used for purposes for which provision is made in the Order, the managers shall repay to the Ministry the whole amount of such grant, or such proportion thereof as the Ministry may determine, regard being had to the period during which the said equipment was used for the purposes of the school.

Restrictions on payment of grant

7. Where loss or damage of equipment has been caused by an unauthorised person and where all or part of the cost of replacement or making good is recoverable from any person other than the managers, the Ministry shall pay grant only if it is satisfied that all reasonable efforts to recover the required amount have been made without success. Where such cost has been recovered in part the Ministry may pay grant on the balance needed to replace or make good the equipment.

8. The Ministry may refuse to pay grant in respect of expenditure incurred through loss or damage caused by:—

(*a*) neglect or default of the applicants or persons acting on their behalf;

(*b*) the use of the premises or equipment other than for the purposes for which provision is made in the Order.

9. No grant shall be payable in respect of expenditure on the provision or replacement of equipment arising from damage caused by fire or flood or through any defect in or accident to a boiler installed on the school premises or any other risk in respect of which the Ministry has issued a direction under Regulation 6(1) of the Voluntary Primary Intermediate and Special Schools Building Grant Regulations (Northern Ireland) 1973(**d**).

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 28th day of September 1973.

(L.S.)

T. R. Meharg,
Assistant Secretary.

(**d**) S.R. & O. (N.I.) 1973, No. 375.

The Ministry of Finance on behalf of the Secretary of State hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of September 1973.

(L.S.) *David Clement,*
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the conditions under which grants may be made by the Ministry under Article 106(1) of the Education and Libraries Order of 1972 for the provision of equipment at primary, intermediate and special schools which are not controlled or maintained schools.

They revoke the Equipment Grants Regulations 1948.